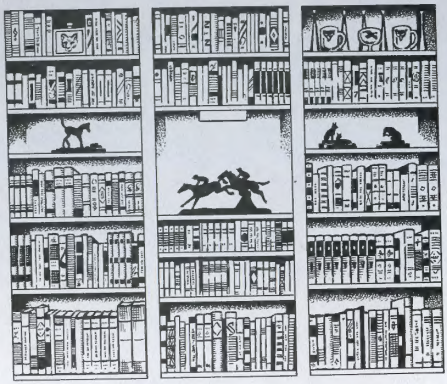

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JOHN AND MARTHA DANIELS

SCHARNBERG

(25) 80/5 w/playing tract

King Charles I, Book of Sports: Declaration to his Subjects concerning LAWFUL SPORTS to be used on Sundays:

"The Kings Maiesties Declaration to his Subiects, concerning lawfull Sports to bee used." sm. 4to. 24 *pp. reprinted on tinted paper in exact imitation of the original by Whittingham, hf. morocco, uncut,* 5*s*

"¶ *Imprinted at London by Robert Barker, Printer to the Kings most Excellent Maiestie: And by the Assignes of John Bill,* 1636."

Reprinted, 1860, *by Bernard Quaritch,* 15 *Piccadilly.*

This is the first faithful reprint of a curious and rare tract: a re-issue with an additional ratification by Charles I. of his father King James' proclamation concerning Sports and public amusements on the Sunday. The original was published by King James I. in 1618, on account of a petition presented to him on his return from Scotland in 1617 by the people, chiefly the lower classes, who were desirous of Sunday amusements. The publication gave great offence to the Puritans and to many of the Church of England, who loudly exclaimed against it; however, the King, who was inimical to this puritanical observance of the Sunday, persisted, and ordered it to be read in Churches, those that refused to do so were punished by the High Commission. This first edition is of the greatest rarity, no copy is in the British Museum; the one mentioned in their general catalogue turns out to be the second, or King Charles' edition: indeed it is only known through the statement made in the commencement of the latter edition.

The second edition, published by King Charles I., with his ratification added, is also of great rarity. There is a copy in the British Museum, which came from Mr. Maskell's collection. It is not by any means a fine copy, the margins are short and the numbers of the folios are cut into. This edition has been reprinted in the Harleian Miscellany; but through the fancied improvements of the editors, such as the spelling and punctuation being altered throughout, the antiquarian features of the tract are entirely spoilt. Neither are the punctuation and spelling always altered for the better, as may be seen at p. 18:—

Original.	Harleian Reprint.
For when shall the common-people have leave to exercise, if not upon the Sundayes & holydaies, seeing they must apply their labour, & win their living in all working daies ? (which is correct.)	For, When shall the common People have Leave to exercise, if not upon the *Sundays* and Holidays ? Seeing they must apply their Labour, and win their Living in all Working-days. (hereby making a separate unmeaning sentence.)
At pp. 11-12:—	
But withall We doe here account still as prohibited all unlawfull games to bee used upon Sundayes onely, as Beare and Bullbaitings, Interludes, and at all times in the meaner sort of people by Law prohibited, Bowling.	But, withal, we do here account still as prohibited all unlawful Games to be used upon *Sundays* only, as Bear and Bull-baitings, Interludes, and, at all Times, (in the meaner sort of people by law prohibited,) Bowling. (Here the commas and the brackets obscure the sense of the phrase. In another 4to. edition of the Harleian Misc. this has been partially rectified by leaving out the brackets.)

At p. 9, the original mis-led is transformed in the reprint into misled.

At p. 13, straight and straightly in the reprint into strait and straitly; &c.

The Harleian Miscellany says, "containing twenty pages." There ought to be twenty-two pages; the first leaf has an ornament with the letter A on it, otherwise it is blank.

The present publication is an exact reprint of every letter in the original, of which, indeed, it is as far as possible a facsimile. It has been executed in imitation of the ancient cursive type by Whittingham, and pulled off upon tinted paper. Only 100 copies having been printed, it must soon become scarce. As a bibliographical and historical curiosity, amateurs should hasten to secure a copy.

Both of the original proclamations illustrate a peculiar point in English History, viz. the good feeling of the Kings, James I. and Charles I., for the welfare of the common people; and both of them caused great disturbances and much opposition from many of the Church of England clergymen as well as from the bulk of the middle classes. This is in a manner shown by the two following quotations from Rapin:—

"Whilst the King was returning to London, he received a Petition from some Servants, Labourers, Mechanicks, and other vulgar persons, complaining, that they were debarred from dancing, playing, Church-ales, in a word, from all recreations on *Sundays* after divine Service. Whereupon it was suggested to the King, that the Puritans meant to perswade the people, such diversions were contrary to the regard due to the Lord's-day. That these men went upon erroneous principles, namely, that Christians were obliged to keep the day of rest with the same strictness as the Jews, and therefore affected to call the Sunday the Sabbath. This was a sufficient inducement to the King to condemn this puritanical scruple, and the rather, as he was not himself very scrupulous in this point. A Book therefore was published in his name, wherein he maintained by several arguments, that pas-

times on *Sundays*, after evening service, were allowable, and withal, commanded that none should be hindered or discouraged from any lawful recreations. This Book (*Note*. It was called the *Book of Sports*. No Recusant was to have the benefit of this Liberty. *Collier*, Tom. II. p. 712) made a great noise, neither was it exclaimed against by the Presbyterians alone. (*Note*. There were several Bishops that declared their Opinions against the *Book of Sports*.) Many Churchmen disapproved of it, and particularly the Lord Mayor of London, who, notwithstanding the prohibition, commanded the King's own carriages to be stopped, as they were a passing thro' the City on a *Sunday*. (*Note*. The Court was to remove next day to *Theobalds*. It put the King into a great rage, *Swearing he thought there had been no more Kings* in England *but himself*. Cooling a little, he sent a Warrant to the Lord-Mayor, ordering him to let them pass, which he obeyed with this answer, *While it was in my Power I did my Duty, but that being taken away, it is my Duty to obey*. The King upon second thoughts took this well, and thanked him for it. *Wilson*, p. 709.) But the King himself, regardless of these murmurs, and willing to support what he had done, enjoined all Ministers to read his Book publicly in their Churches; and those that refused were severely punished by the High-Commission. Some pretend, this order was a snare to surprise certain Ministers, who though Puritans, scrupled not to be of the Church of England, and preach their doctrine there. (*Note*, Archbishop Abbot being at Croydon the day it was ordered to be read in Churches, flatly forbid it to be read there; which King James winked at, notwithstanding the daily endeavours that were used to irritate the King against him. *Welwood's Notes on Wilson.*)"—*Rapin's History. James* 1.

"In Somersetshire, where these Revels abounded, the Lord Chief-Justice Richardson and Baron Denham, in their circuits made an order, with the general consent of the whole Bench, that these Revels should be suppressed on Sunday, (Rushworth, tom. 2, p. 191). But the Chief-Justice being commanded to attend the Council-Board was severely reprimanded, and injoined to revoke the order made at the Assizes. The Presbyterians, notwithstanding the late King's Proclamation, affecting still to forbid their servants to be present at these Revels, or to use any recreations publickly on Sundays after divine Service, the King renewed and confirmed the Proclamation published by his Father, commanding that the people should not be troubled or molested in their recreations. The Court was afraid that by degrees a maxim deemed by them prejudicial to their interest would be established, namely, that when a custom, not ill in itself, occasioned abuses, it ought to be abolished. This maxim seeming to them too general, because it might be applied to things of great consequence, they opposed it to the utmost of their power."—*Rapin's History Charles I.* See Rushworth, pp. 191-3.

Coulter Manse
1860

Baillie
of
Coulter Allers
1869

THE OPENING OF PUBLIC GARDENS ON SUNDAY.

The promoters of the better observance of the Sabbath assume all that is really in question in charging disrespect of the day against those who desire to introduce innocent and intellectual recreations. There is no respect for the Sabbath in making it a day of oppressive gloom, condemning the poor hard-working inhabitants of great cities to remain shut up in their close unwholesome lodgings, and driving them perhaps to dram-drinking for want of any better means of exhilaration. A greater disrespect for the Sabbath cannot be evinced than by clothing it as it were in sackcloth and ashes, and rendering the seventh day of rest more irksome even than the six of labour. And here we must observe that there is some misunderstanding of the word rest. The rest of the Sabbath is rest from the ordinary labours and occupation. The rest is not inaction It is not sitting with folded hands and vacant mind. The rest of the sedentary takes the turn of activity, the student, lawyer, artist, or man of science, resorting to exercise, while the rest of the artisan, shut up all the week in a work-room or factory, is to go forth into the fields, to see the beauties of nature and inhale pure air. It is no more rest to confine a labourer to his smoky court or alley than it is rest to shut up an offender in a prison. After the performance of the religious duties the more the means of innocent enjoyment are multiplied the better for morality, and for the health of body and mind. But the spirit of Puritanism is ever on the watch to oppose these human objects. The Glasnevin Botanical Garden in Dublin having the support of a public grant, the Government thought it desirable to put it on the same footing as Kew Gardens and Hampton Court, which are open to the public on Sundays. The managing society resisted this proposal on the plea that their servants require rest on Sunday. Well, in that case the arrangement is easy of having extra servants for the Sunday duty. But which of these pharisaical objectors has not servants whom he employs on Sunday? He may diminish their employment, indeed, but they have not complete rest from their usual occupations. When Mrs. Fry gave a breakfast on Sunday to serious friends upon some pious occasion, it was duly noted that the only thing hot at the table was the soup. The good lady had carried the exemption from work on the Sabbath as far as it could go, but the cook was required to heat the soup. Conscience could not be indulged to the extent of foregoing soup altogether, much more of eating it cold.—*Examiner.*

KING CHARLES THE FIRST'S

DECLARATION TO HIS SUBJECTS

CONCERNING

Lawful Sports

TO BE USED ON

Sundays.

1633.

REPRINTED FOR BERNARD QUARITCH,
15 PICCADILLY.
1860.

THE KINGS MAIESTIES DECLARATION to His Subiects, CONCERNING lawfull SPORTS to *bee vſed.*

Imprinted at LONDON by *Robert Barker*, Printer to the Kings moſt Excellent Maieſtie: And by the Aſſignes of *Iohn Bill.*

M. DC. XXXIII.

¶ By the King.

OVr Deare Father of bleſſed Memory, in his returne from Scotland, comming through Lancaſhire, *found that his Subiects were debarred from Lawful Recreations vpon Sundayes after Euening Prayers ended, and vpon Holy dayes: And Hee prudently conſidered, that if theſe times were taken*

from them, the meaner ſort who labour hard all the weeke, ſhould haue no Recreations at all to refreſh their ſpirits. And after His returne, Hee farther ſaw that His loyall Subiects in all other parts of His Kingdome did ſuffer in the ſame kinde, though perhaps not in the ſame degree: And did therefore in His Princely wiſedome, publiſh a Declaration to all his louing Subiects concerning lawfull Sports to be vſed at ſuch times, which was printed and publiſhed by His royall Commandement in the yeere 1618. *In the Tenor which hereafter followeth.*

¶ By

¶ By the King.

WHereas vpon Our *returne the laſt yere out of Scotland, We did publiſh Our Pleaſure touching the recreations of Our people in thoſe parts vnder Our hand: For ſome cauſes Vs thereunto moouing, Wee haue thought good to command theſe Our Directions then giuen in* Lancaſhire *with a few words thereunto added, and moſt appliable*

pliable to theſe parts of Our Realmes, to bee publiſhed to all Our Subiects.

Whereas Wee did iuſtly in Our *Progreſse through* Lancaſhire, *rebuke ſome Puritanes and preciſe people, and tooke order that the like vnlawfull carriage ſhould not bee vſed by any of them hereafter, in the prohibiting and vnlawfull puniſhing of Our good people for vſing their lawfull Recreations, and honeſt exerciſes vpon Sundayes and other Holy dayes, after the afternoone Sermon or Seruice: Wee now finde that two ſorts of people wherewith that Countrey is much infected, (Wee meane Papiſts*

Papiſts and Puritanes) haue malicioufly traduced and calumniated thoſe Our iuſt and honourable proceedings. And therefore leſt Our reputation might vpon the one ſide (though innocently) haue ſome aſperſion layd vpon it, and that vpon the other part Our good people in that Countrey be miſled by the miſtaking and miſinterpretation of Our meaning: We haue therefore thought good hereby to cleare and make Our pleaſure to be manifeſted to all Our good People in thoſe parts.

It is true that at Our firſt entry to this Crowne, and Kingdome,

Wee were informed, and that too truely, that Our County of Lancaſhire *abounded more in Popiſh Recuſants then any County of England, and thus hath ſtill continuea ſince to Our great regreet, with little amendmēt, ſaue that now of late, in Our laſt riding through Our ſaid County, Wee find both by the report of the Iudges, and of the Biſhop of that dioceſſe, that there is ſome amendment now daily beginning, which is no ſmall contentment to Vs.*

The report of this growing amendment among ſt them, made Vs the more ſorry, when with Our owne Eares We heard

heard the generall complaint of Our people, that they were barred from all lawfull Recreation, & exercise vpon the Sundayes afternoone, after the ending of all Diuine Seruice, which cannot but produce two euils: The one, the hindering of the conuersion of many, whom their Priests will take occasion hereby to vexe, perswading them that no honest mirth or recreation is lawfull or tolerable in Our Religion, which cannot but breed a great discontentment in Our peoples hearts, especially of such as are peraduenture vpon the point of turning; The other inconuenience is, that this prohibition

barreth the common and meaner ſort of people from vſing ſuch exerciſes as may make their bodies more able for Warre, when Wee or Our Succeſſours ſhall haue occaſion to vſe them. And in place thereof ſets vp filthy tiplings and drunkenneſſe, & breeds a number of idle and diſcontented ſpeeches in their Alehouſes. For when ſhall the common people haue leaue to exerciſe, if not vpon the Sundayes & holydaies, ſeeing they muſt apply their labour, & win their liuing in all working daies?

Our expreſſe pleaſure therefore is, that the Lawes of Our Kingdome, & Canons of Our Church be aſwell obſerued

ſerued in that Countie, as in all other places of this Our Kingdome. And on the other part, that no lawfull Recreation ſhall bee barred to Our good People, which ſhall not tend to the breach of Our aforeſayd Lawes, and Canons of Our Church: which to expreſſe more particularly, Our pleaſure is, That the Biſhop, and all other inferiour Churchmen, and Churchwardens, ſhall for their parts bee carefull and diligent, both to inſtruct the ignorant, and conuince and reforme them that are miſ-led in Religion, preſenting them that will not conforme themſelues, but obſtinately ſtand out to

all We doe here account ſtill as prohibited all vnlawfull games to bee vſed vpon Sundayes onely, as Beare and Bullbaitings, Interludes, and at all times in the meaner ſort of people by Law prohibited, Bowling.

And likewiſe We barre from this benefite and liberty, all ſuch knowne recuſants, either men or women, as will abſtaine from comming to Church or diuine Seruice, being therefore vnworthy of any lawfull recreation after the ſaid Seruice, that will not firſt come to the Church, and ſerue God: *Prohibiting in likeſort the ſaid Recreations to any that, though conforme in Religion*

ligion, are not preſent in the Church at the Seruice of GOD, *before their going to the ſaid Recreations. Our pleaſure likewiſe is, That they to whom it belongeth in Office, ſhall preſent and ſharpely puniſh all ſuch as in abuſe of this Our liberty, will vſe theſe exerciſes before the ends of all Diuine Seruices for that day. And We likewiſe ſtraightly command, that euery perſon ſhall reſort to his owne Pariſh Church to heare Diuine Seruice, and each Pariſh by it ſelfe to vſe the ſaid Recreation after Diuine Seruice. Prohibiting likewiſe any Offenſiue weapons to bee carried or*

vſed inthe ſaid times of Recreations. And Our pleaſure is, That this Our Declaration ſhall bee publiſhedby order from the Biſhop of the Dioceſſe, through all the Pariſh Churches, and that both Our Iudges of Our Circuit, and Our Iuſtices of Our Peace be informed thereof.

Giuen at Our Mannour of Greenwich the foure and twentieth day of May, in the ſixteenth yeere of Our Raigne of England, France and Ireland, and of Scotland the one and fiftieth.

Now

NOw out of a like pious Care for the ſeruice of God, and for ſuppreſsing of any humors that oppoſe trueth, and for the Eaſe, Comfort, & Recreation of Our well deſeruing People, Wee doe ratifie and publiſh this Our bleſſed Fathers Declaration: The rather becauſe of late in ſome Counties of Our Kingdome, Wee finde that vnder pretence of taking away abuſes, there hath been a generall forbidding, not onely of ordinary meetings, but of the Feaſts of the Dedication of the Churches, commonly

called Wakes. Now Our expreſſe will and pleaſure is, that theſe Feaſts with others ſhall bee obſerued, and that Our Iuſtices of the peace in their ſeuerall Diuiſions ſhall looke to it, both that all diſorders there, may be preuented or puniſhed, and that all neighbourhood and freedome, with manlike and lawfull Exerciſes bee vſed. And Wee farther Command Our Juſtices of Aſſize in their ſeuerall Circuits, to ſee that no man doe trouble or moleſt any of Our loyall and duetifull people, in or for their lawfull Recreations, having firſt done their duetie to God, and continuing in

obedience

obedience to Vs and Our Lawes. And of this Wee command all our Iudges, Iuſtices of the Peace, as well within Liberties as without, Maiors, Bayliffes, Conſtables, and other Officers, to take notice of, and to ſee obſerued, as they tender Our diſpleaſure. And Wee farther will, that publication of this Our Command bee made by order from the Biſhops through all the Pariſh Churches of their ſeuerall Dioceſſe reſpectiuely.

Giuen at Our Palace of Weſtminſter the eighteenth day of October, in the ninth yeere of Our Reigne.

God ſaue the King.

CHISWICK PRESS:

REPRINTED BY WHITTINGHAM AND WILKINS,

TOOKS COURT, CHANCERY LANE.

1860.

Unpopular bishops

'Nevertheless the general unpopularity of the bishops in the early 1640's was due to many reasons besides the puritan hatred of prelacy as unlawful and unchristian. Their enjoyment of high public offices and engrossment of the royal confidence, as Clarendon says, "exposed them to the universal envy of the whole nobility". Puritans were not slow to point out the inconsistency in the claim of the clergy to the exclusive control of matters of religion, when they were themselves simultaneously taking a leading part in directing the national policy. . . . The attempt to introduce uniformity and decency of external worship aroused opposition, and ministers who were formalists found themselves denounced as corrupt time-servers. As Laud complained in 1637, "'tis superstition now-a-days for any man to come with more reverence into a church, than a tinker and his bitch come into an ale-house". . . . In their propaganda against the church, however, the puritans were at a great handicap, for they were officially denied the use of both the main organs of public opinion—the pulpit and the press. The early Stuarts imitated Elizabeth, who "used to tune the pulpits, as her saying was". . . . Pym included in his enumeration of the principal grievances of the kingdom, "preaching for absolute monarchy that the king may doe what hee list". The puritans were similarly at a disadvantage with regard to the press, for a proclamation was issued in 1624 forbidding the printing or importation of any book dealing with religion, church government, or matters of state, until it had been approved.' . . .

The Book of Sports

'Another subject of bitter dispute between anglican and puritan was the observance of the Lord's day. During the last decade of the sixteenth century there was a marked growth of sabbatarianism. The puritans eagerly supported the attempt to apply the provisions of the Mosaic law to the English Sunday and to suppress the May games, morris dances, and other sports indulged in after service in the country-side. Such an attempt by the Lancashire magistrates, in 1617, caused James to issue a declaration that those who had already attended divine service might engage in certain lawful recreations afterwards. The next year the application of this order was extended from Lancashire to the whole country, and every minister was directed to read from the pulpit the declaration in favour of certain lawful sports, often called the Book of Sports. . . . Notwithstanding the Book of Sports, some puritans, in a furious kind of ardour, used to run into the streets, and even dash into private houses, in search of those engaged in their lawful pastimes, scatter the company, and break the instruments, and even the heads, of any musicians they found. Some would not suffer either baked or roast meat to be prepared on the Sabbath, or provender to be carried to a horse, or a pint of wine to be sold. Such scruples were not the monopoly of the middle classes, for we are told that maidservants refused to wash their dishes or clean their kitchens on the Sabbath.' . . .

Drunkenness and swearing

'Judicial records of the period supply evidence of the drinking habits of all classes. Moreover, men rather gloried in their excesses than felt ashamed of them. One boasted that he had been drunk so often in the last year that the magistrate could hardly find pens, ink, and paper enough to record all occasions. . . . At Nottingham some burgesses presented a petition to the Corporation against the excessive number of alehouses in the town: "Your petitioners (by sad experience) have observed that by permitting soe many unnecessary alehousses and tippling houses within this towne, the name of God is much dishonored, his day profaned, and his cretures abused." But their championing of temperance was rendered suspicious by their petition that henceforth none but burgesses should be permitted to sell beer. . . . Severe measures were taken, too, against swearing. By an act of 1650 a scale of fines was imposed, graduated according to the rank of the offender. A duke paid 30*s.* for his first offence, a baron 20*s.*, and a squire 10*s.*, and inferior persons 3*s.* 4*d.*—double fines were imposed for a second offence. Women were charged for expletives according to the rank of their fathers or husbands. Those who could not pay their fines were to be set in the stocks for from three to six hours. Some magistrates enforced this act with great severity. Not only did they exact the maximum fine for each oath, but they punished singularly mild asseverations. Thus, one man had to pay fines for saying "God is my witness" and "I speak in the presence of God", and another had to pay his 3*s.* 4*d.* for saying "Upon my life". In fact, apparently any kind of interjection might be costly.' . . .

Cromwell: originator of concerts and opera

'Though Cromwell was no performer himself, music was one of his favourite recreations. Not infrequently he provided this kind of entertainment for state functions, and thus has a claim to have originated concerts. When the Dutch ambassadors were entertained in April 1654, on conclusion of peace, music played all the while they were at dinner, and afterwards the lord protector and others joined in listening to more music, some of it vocal, and to the singing of a psalm. John Hingeston, a pupil of Orlando Gibbons, was appointed organist to the protector and had two organs at his disposal at Hampton Court. When Frances Cromwell was married to Robert Rich, the wedding feast was celebrated at Whitehall with forty-eight violins, which presumably provided the tunes for the mixed dancing which scandalized the straiter brethren. The number of violinists is noteworthy, inasmuch as Thomas Baltzar, the first great violinist that had been heard in England, did not settle there until 1656.

'To Cromwell may also be assigned some of the credit for the beginning of opera in England. The puritans who closed the theatres were indirectly responsible for this notable addition to musical entertainment. Sir William Davenant was enterprising enough to produce *The Siege of Rhodes*, with twelve singers and six instrumentalists. Another opera, produced in 1658, *The Cruelty of the Spaniards in Peru*, enjoyed great popularity, for it is said to have been